HIS SISTER'S DYING STATEMENT IS READ TO THE JURY.

The Prisoner's Married Sister Astounds Judge Ingraham by Her Narration of Coroner Hoeber's Sensational Visit to the Benth Chamber-Testimony as to the Prisoner's Mental Condition Upon Learning the Cause of Miss Hannigan's Illness,

Yesterday was what Lawyer Brooks, the senior counsel for the defence, termed a day of family testimony in the trial of David F. Hannigan before Justice Ingraham in the Oyer and Terminer for the killing of Solomon H. Mann, his sister's alleged betrayer. It was the sixth day of the trial, and that the public is extremely day of the trial, and that the point is settemeny interested in the outcome is shown by the num-ber of letters which counsel on both sides have received. Assistant District Attorney Hennes-sey received a postal card yesterday, evidently written in a woman's handwriting, which read:

Let us hope that, notwithstanding your official duties in the Hannigan case, although you may not incline that way, that you have a stout heart and true blue blood enough in it to shoot the seducer of your slater should it please the Aimighty to test you. AN ALABAMIAN.

Throughout the day the defendant sat with his head buried in the hollow of his arm and he moaned aloud at times.

Mrs. James H. McGowan, Hannigan's sister Nora, resumed the stand yesterday morning. She continued the description of her brother's emotions and actions when he was made ac quainten with the real cause of his sister's condition. Lawyer Brooke tried to introduce the dying declaration of Loretta V. Hannigan through Mrs. McGowan, but Justice Ingraham would not allow this. Finally Assistant District Attorney Hennessey was called as a witness by the defence to prove the statement of the girl, in which she accused Mann of being responsible for her condition. The prosecution then conceded the statement and Mr. Brooke read it with thrilling effect. It detailed the girl's relations with Solomon H. Mann, his advice to her to see Dr. Pettengill, and told of the subsequent operation. Mrs. McGowan said her brother David nearly went crazy when Coroner Hoeber brought in a crowd of men to her als ter's bedside. Mrs. McGowan told of the verdict rendered by the jury which Coroner Hoe-ber brought in. This verdict named the persons responsible for the girl's condition. "Was this before your sister was dead?" asked Justice Ingraham.

"Was this before your sister was dead?"
saked Justice Ingraham.
"Yes, sir."
"Most extraordinary!" exclaimed the Justice.
"Hefore my sister died," continued Mrs. Mc.
Gowan, "she told my brother that she did not
want to live after all the disgrace she had
brought upon the family, and prayed for death."
She said her sister had confessed her relations
with Mann to her brother and told nim that
Mann had threatened to expose her if she did
bot continue them. At this Mrs. McGowan said
David acted like an insane person and laughed
and grinned in a horrible manner.
Dr. David P. Austin, the Hannigan family
physician, who attended Loretta, testified to
David Hannigan's aprearance on the various
occasions he had seen him. After David had
really learned what his sister was suffering
from the Doctor said, he was quite subdued in
spirit and appeared to be dazed. He told the
Doctor he could not sleep and at every little.
The Doctor had noticed the smell of liquor en
him, although previously he had known him as
a sober young fellow. He wanted to avoid publicity in the case on account of his other sister,
and called on the Coroner with Dr. Austin to
see if the matter could not be kept quiet. The
Coroner told him that if his sister recovered
everything would be all right, but otherwise no
one could prevent the necessary publicity.

Assistant District Attorney McIntyre saked
the Doctor on cross-examination if an overindulgence in liquor might not have produced all
the effects which the Doctor described. Dr.
Austin replied that Hannigan was not a drinking man. Chief City Magistrate John B. Flammer, who was formerly counsel for Hannigan,
was the next witness. He said that David called
on him in April, 1805, and retained him to prosecute Solomon H. Mann. David told Magistrate
Flammer that he was a fraid his father would
kill Mann, as he had already made such a threat.
David had always impressed him as an active,
energetic, and ambitious young man, anxious to
get on in the world, but after his sister's death
he was downcast

shence and abstraction, and labored under sup-pressed excitement.

James H. McGiowan, a fireman, and a brother-in-law of Hannigan, testified that he had been in the family for nine years, and had never seen the defendant under the influence of liquor. He said Hannigan showed unmistakable signs of insanity after he had learned the cause of his sister's liness. insanty after he had learned the cause of his sister's liness.

The father and mother of the defendant will probably be called to-day, and it is expected the experts will not be called until next week.

MORTALITY IN THE STATE.

1,000 Fewer Deaths in September than in August, but More than in September, 1894 ALBANY, Oct. 31 .- The bulletin of the State Board of Health for the month of September shows that there has been a further decrease in the total mortality for the month, from an average daily mortality of 377 in July and 357 in August to 337, there having been 1,000 fewer deaths than in the preceding month. There were 800 fewer deaths under the age of 5 years than in August, 41.5 per cent. of the deaths having occurred in this early life, which is the same proportion as in September, 1894. The total mortality is, however, larger than it was a year ago by 500 deaths, and the relative zymotic mortality greater, being 250 per 1,000, against 244. This is due entirely to an increase of the diarrhoal mortality, from which there were 1,672 deaths in September, which is excessive. although it has decreased from 2,300 in August, which was a fair average for that month. The relative zymotic mortality in August was 282 per 1,000 deaths from all

August was 282 per 1,000 deaths from all causes.

Whooping cough and measles have caused fewer deaths, although being somewhat more prevalent than a year ago. There has been a moderate increase in cerebro-spinal meningitis, in typhoid fever, in diphtheria, and in maiarial diseases, though not beyond the seasonal proportion. Typhoid fever caused 56 deaths in forty-four rural towns and 165 deaths in cities and populous villages, the death rates being for the total rural population of the State a little greater than that for the total urban population. Diphtheria caused 28 deaths in the caused while a compared to the control of the

WAS MARIETTE KIDNAPPED®

No Trace in Cranford of the Little West Indian Who Disappeared on Friday. So far not the slightest trace of Mariette F. Julian, the 10-year-old West Indian girl who

last, has been found.

disappeared from Cranford, N. J., on Friday

The child was living with her aunt, Frances Joseph, who was a cook in the family of G. B. Jones, a New Yorker, who has a house in Cranford. All of her life, except the last year, was ed in the West Indies. Her parents sent her North to her aunt, who was to see that she received some education. The Joneses gave the aunt permission to keep the child with her, and the girl was allowed to attend the local public school. She seemed very bright and made many friends among the children in the neighborhood. friends among the children in the neighborhood. Early last week her aunt announced to Mrs. Jones that she had secured a place in the city for the winter, and on Friday she and her niece packed up their things preparatory to going. At about 4 o'clock in the afternoon the girl started for the school house to say good-by to the teachers and pupils and to get from the principal a letter of recommendation, which would qualify her for admission to a public school in this city. She has not been heard of since, and the failure of the scarching parties to get any trace of her has led to the suspicion that she was kidnapped. It was said that gypsies had been camping in the neighborhood and that they disappeared on Saturday, but this was denied in Cranford yesterday. No gypsies have been seen there for some time.

The girl spoke good English and was thoroughly familiar with all the surrounding country.

Accused of Enticing Young Girls to His

ROCHESTER, Oct. 31 .- John L. Hackett, about 65 years of age, was arrested this noon on a warrant charging him with enticing Maud Patterson, a 16-year-old girl, to his house for raterson, a 10-year-old girl, to his house for immoral purposes. The house where Hackett lives is a miserable hovel, and officers had seen a good many young girls coming from his quarters. Last night Lieut. Sherman watched the house and arrested the Patterson girl as she tame out. She made an affidavit admitting that she had been going to the Hackett place for immoral purposes, that he enticed her there by giving her money, and that she had seen other young girls there. She gave the names of several, and it is probable that they will be detailed as witnesses.

INSPECTING THE SWEAT SHOPS. The Reinhard Committee Finds Improvement on the East Side,

The Reinhard Assembly Committee appointed to investigate the condition of the workers in shops and factories in this city made a persona ection of the east side sweat shop district yesterday. It may be stated that the members of the committee found a decided improvement in the condition of the workers on the east side when compared with what they saw on the oc-

casion of their last incursion. The first place visited was 64 Orchard street, where Philip Weinberg, a contractor, keeps twenty-five hands at work making coats. The hands appeared to be contented and the workroom was well ventilated. A girl named Julia Harris said she was able to earn from \$11 to \$12 a week. At 44 Orchard street Yankel Dick employs half a dozen hands making women's vests. Eva Lunsky, a Polish girl, was working at a machine. Eva said she was sixteen and a half years old and made \$6 a week.

"Can you read and write?" asked Committee man Steinberg. "Sure, Mike," replied Eva.
"How many weeks in a month?"

Eva paused a minute and then replied with smile, "Twenty-four weeks, sir." The next move was on 127-131 Hester street. In this house a young lad named Samuel Hockin this house a young had named Samuel Hockstein of 16 Forsyth street was working at a machine. When asked his age Samuel said he was nearly 18 years old, but he did not look to be more than 12. The lad said he worked from 7 o'clock in the morning until 7 at night and made \$3 a week. Lena Goldstein, about 20, who worked in the same shop, said, when questioned, that the boss told her to say about \$6 a week.

tioned, that the boss to the same house a lad week.

On the third floor of the same house a lad named Frank Lederwick of 36 Hester street said he was 16 years old, but he didn't look a day more than 9. His work is to pull bastings, He works from 7 in the morning until 6:30 at night and gets, he said, \$1.50 a week. On the same floor Hetsy Weisblatt of 212 Third street was finishing buttonholes. Betsy said she was 14 years old and worked from 8 A. M. until 6 o'clock at night. Samuel Solomon is Betsy's employer.

o clock at hight. Samuel Solomon is Betay's employer.
On the third floor of 11 Ludlow street old Sarah Klein was at work. Her hands trembled as she piled the needle.
"How much do you earn a week?" asked Commissioner Stellberg.

"How much do you earn a week?" asked Commissioner Steinberg.
"I get \$1 to \$1.05." repited the old woman,
"Do you often eat meat?"
"I never eat it, as! can't afford it."
There was a crust of dry bread and a cup of some mixture which bore a faint resemblance to very weak tea on the machine near by.
"Here is the price of a good steak for you," said Mr. Steinberg, as he pressed a dollar bill into her hands. The room in which she worked is about fourteen feet by ten, and it is subdivided between two parties, who each pay \$5 a month for its use. On the second floor of the same house M. Goldstein employs six men. The odor was sickening.

M. Goldstein employs six men. The odor was sickening.

In some of the shops men were found sleeping on piles of clothing. The sweaters in other places had evidently taken warning, for the doors of the shops were padiocked and the hum of the machines had ceased. There was evidence in many of the places visited that the investigations by the committee had borne fruit, as the shops were clean and the workers not too much scrowded together. The tenement sweat shops, if any still remain, are operated so quietly that the committee has been unable to discover them.

THE EMPLOYMENT OF CONVICTS Views of Superintendent Lathrop and War-

dens Stout, Thayer, and Sage. ALBANY, Oct. 31 .- The State Prison Commision met to-day and listened to the views of Gen. Auston Lathrop, the Superintendent of State Prisons, Wardens Stout of Auburn prison, Thayer of Clinton prison, and Sage of Sing Sing prison as to the best means of employing convicts under the provisions of the Constitution. which goes into effect on Jan. 1, 1897, and which prohibits the product of prison labor coming in competition with outside labor in any direction.

Warden Thayer thought the best way to carry out the provisions of the Constitution was to devise legislation providing that the convicts in State prisons be employed in doing all State printing, except the legislative, for all State institutions; in manufacturing all furniture of every description for all institutions and buildings, and in manufacturing clothing and other articles now used by the inmates of State insti-

Warden Sage said that the people who were

Warden Sage said that the people who were behind the present constitutional provision had for their object the absolute prohibition of prison labor.

Gen. Lathrop thought that the scheme of the Fassett law, under which the prisons are now operating, produces as little competition as is possible and still keeps the prisoners employed. He thought that even with the adoption of Warden Thayer's plan competition would not be done away with, as outside labor now furnishes to those institutions the articles which that plan proposes shall be manufactured by the prisoners.

that plan proposes shall be manufactured by the prisoners.

All of the prison officials favor the proposed amendment to the new Constitution, which was passed by the last Legislature. It, in effect, would allow of the reintroduction of the State account system in the State prisons, while it would not allow the iarming out of the prison-ers' time or labor. This proposed amendment will have to be passed by the next Legislature before it can be submitted to a vote of the peobefore it can be submitted to a vote of the peo-ple. All agreed that it was absolutely necessary for the health and reformation of the prisoners that productive employment be given them. Compulsory education of the convicts was not

Compulsory education of the convicts was not deemed expedient.

They all favored a central prison for the execution of death sentences, the placing of all consumptive prisoners who have reached the contagious stage in a wing prison at Dannemora, and the repeal of the law passed last year, which allows prisoners receiving under five years' sentence to be sent to a penitentiary instead of a State prison. The operation of this law is tending to depopulate the female prison at Auburn. at Anburn.

The Commission adjourned for two weeks when the superintendents of penitentiaries and reformatories will be present to give their views on convict employment.

S. M. BIXBY & CO. FAIL.

Long Time Makers of Shoe Blacking-Failed as a Firm in 1877.

S. M. Bixby & Co., corporation, the wellknown manufacturers of shoe blacking at 194 and 196 Hester street, went into the hands of a receiver yesterday on the application of the directors of the company, who stated that the concern is insolvent and unable to meet obligations coming due. Judge Barrett of the Supreme Court appointed Samuel W. Milbank receiver for the business with a bond of \$50,000. Samuel M. Bixby is the President of the company, and he made an individual assignment yesterand he made an individual assignment yester-day to Richard W. G. Welling. The business was started in 1862 by the firm of S. M. Bixby & Co. They failed in December, 1877, and compromised in bankruptcy at 20 cents on the dollar. The present company was incorporated in January, 1878, with a capital stock of \$150,000, and continued the business. For the past ten years the company has had no capital rating at Bradetreet's and a low credit rating. Of the capital stock of \$150,000 8. M. Bixby owns \$137,475. or 5.409 shares out of 6,000 shares. It is stated that the good will, trade marks, patents, &c., cost in acquisition and development \$250,000. The liabilities of the company valued at \$100,000. The liabilities of the company, exclusive of the capital stock, are \$90,082; nominal assets \$235,881; actual assets, \$11,743. The assets consist of merchandles, nominal value, \$52,000; actual, \$42,000; accounts receivable, nominal, \$33,843; actual, \$28,843; machinery, tools, &c., nominal, \$33,242; actual, \$15,000; office furniture, safes, and trucks, nominal, \$11,396; actual, \$5,500; cash, \$400; trade marks, patents, good will, &c., nominal, \$100,000; actual, not given.

Other Business Troubles,

M. Rosenberg & Co. (Moses Rosenberg and Louis D. Cohen), wholesale dealers in hosiery notions, &c., at 380 and 382 Broadway, failed yesterday. The firm has sold the entire stock to Mrs. Bertha Cohn for \$41,000. Goldsmith & Doherty, who represent the purchaser, put & Doherty, who represent the purchaser, put the liabilities at \$175,000, with assets estimated at \$185,000. A statement is being prepared and a meeting of creditors will be called. Blumenstiel & Hirsch got in the first attachment in favor of F. Vietor & Achelis. Both the Sheriff and Coroner received writs of replevin against the concern; Herman Joseph had one of \$3000 and Blumenstiel & Hirsch one of \$3,000.

Deputy Sheriff Henning took charge yesterday of the place of business of H. Welss & Son, manufacturers of furs at 131 Prince street, on executions in favor of Louis Schlesinger for \$4,005, and Victor Mellish for \$448. The Sheriff also received an attachment against them for \$1,600, and Herman Joseph obtained replevins for about \$2,000.

May Extend the Street Postal Car System A conference was held in Postmaster Dayton's office yesterday concerning the contemplated extension of the street postal car system in the extension of the street postal car system in the annexed district in conjunction with the pro-posed free delivery system, which will go into effect about Jan. 1, 1806. Fresident E. A. Maher of the Union Railroad Company, Second Assistant Postmaster-General Masten. E. M. Morgan, and Postmaster Dayton were present. Freliminary plans were discussed, but no defi-nite action was taken. CHIEF HALLOWAY'S CATCH.

WHEELMEN WHOSE APPEARANCE LED TO THEIR ARREST.

Morristown's Chief of Police Had Got Word to Arrest Two Men Who Had Stolen Wheels in Pennsylvania-Two Students at Drew Seminary Who Were Suf-

fering With Toothache Apprehended. MORRISTOWN, Oct. 30 .- There was something nusual about the appearance of two men who rode up South street, Morristown's fashionable thoroughfare, on bloycles, and dismounted at the park yesterday afternoon. In the first place, both wore long trousers, collars, and cuffs, and white laundered shirts. One was white, while the other was a negro. They appeared to be respectable men, but despite this there was a something about their manner that was curiqus. They conversed with each other in monosyilables, and there was a pained look on the faces of the two wheelmen.

They rode bravely and expertly over the rugged stones, and it was not a fear of the usual \$11.75 fine for riding on the sidewalk which was responsible for the peculiar expression on their

Chief of Police J. Frank Holloway had seen the wheelmen from afar, and with eager interest watched their approach. From an opposite corner he beheld the pair dismount. They cast timid, appealing, cautious, questioning looks around. Then one whispered to the other, and together they rolled their machines across the street and halted. The wheels were locked torether and the men disappeared into a hallway which led to an upstairs room.

Early in the morning the Morristown Chief of Police had received a telegram which read as follows:

"Apprehend two men, one white the other colored, with stolen bicycles."

It was signed by the Chief of Police of Strouds

He went to Headquarters and detailed Officer. Meeker and Campbell to watch the door. After about an hour's wait the door opened and the two men appeared. Had the Chief been present he would have been amazed at the transfor-mation in the expressions they wore. They were smiling and chatting freely. "Guess you'll have to come with us," said one of the officers. "What for?" was the indignant query of the black map, as he pulled back.

"What for?" was the indignant query of the black map, as he pulled back.
"You'll be told at Headquarters, and we don't want any of your saes, now," said the officer.
"Be ye subject to those in authority over you, my prother," said the white man. "When thineenemy smites thee on one cheek, turn unto him the other."
"Oh! you've got them, have you?" was the satisfied exclamation of the Chief, as the men

entered his presence.
"What's your name?" asked Chief Holloway

entered his presence.

"What's your name?" asked Chief Holloway of the white man.

"H. B. Allen," was the answer.

"And your pal's?"

"A. B. Cooper."

"Where are you from?"

"We are students at Drew Seminary."

"That's a very likely tale," he commented.

"What are you doing here?"

"We have been suffering with the toothache and have been to see our dentist," was the reply. "What are we arrested for?"

And then the Chief read the telegram. What would have been the result will never be known, for the postman came in just then bringing with him a postal card giving a description of the stolen Stroudsburg wheels. Of course it did not correspond with those ridden by the two students, and the students were at once discharged.

Charged.

Drew Seminary, the big Methodist theological institution, is situated about four miles from Morristown.

Mr. Cooper is pastor of a church at Rahway, and Mr. Allen fills a pulpit at Stillwater.

STOKES-MACKAY SETTLEMENT. Terms Private, Except that Check to Stokes

for \$103,704.93, The parties to the complicated Stokes-Mackay Stokes litigations yesterday confirmed THE Sun's report that the first of their celebrated legal contests had finally come to a settlement. The case is that known as the telegraph suit. and dates back to 1884. E.S. Stokes, in his complaint, averred that in that year John W. Mackay, through his agent, De Castro, agreed to pay Stokes \$100,000 and also to cancel cer tain claims against Read & Co. in which Stokes was interested when Stokes should Stokes was interested when Stokes should have turned over to Mackay the Bankers' and Merchanta' and United lines. Stokes averred that he had performed his part of the bargain, but received only \$25,000. He sued for the rest. On the first trial he got judgment for \$88.875, but the Court of Appeals reversed the decision. In February, 1894, a judgment for \$91,500 was given in favor of Stokes, but the litigation went on.

on.

The exact terms on which it has been settled are not known, but Stokes received a check for \$103,704.93. Lawyer Joseph Larocque said yesterday that the plaintiff had modified his claims somewhat.

DAVE RAYNOR'S RETURN.

He West West for His Fortune and Came

GREENPORT, Oct. 31 .- A few days ago there arrived at Greenport an odd-looking turnout. The peculiar vehicle was drawn by a team of aded, yet evidently well-bred horses,

Some ten years ago David Raynor, who at that time lived at Greenport, moved with his wife to the West, finally settling on a small farm on the outskirts of Lexington, Ky. Fairly good luck outakirts of Lexington, Ky. Fairly good luck rewarded his efforts until the past two years, when a failure in crops and low prices soon took what little savings he had accumulated. Finding everything likely to slip from his grasp he sold out for a smail sum, and, hitching two horses to the family coach, he led five more strung out behind, and set out on his long drive for the eastern end of Long Island, where he arrived after almost five weeks of continual journeying. journeying.

Raynor has now opened a wayside inn on the road north of this place, giving it the name of The Blazing Stump.

STORMY DAYS FOR SMUGGLERS.

Getting Into Jail in Newfoundland in Spite of Their Squirming.

Sr. Jonn's, N. F., Oct. 31.-The smugglin prosecutions are being vigorously pushed. At Burin to-day a number of offenders taken by the cruiser Fiona were brought before a magistrate, and three of them were sentenced to six months' imprisonment each. The trials of several others are now proceeding. One of the con-victed men, a leading citizen, offered to pay \$1,000 fine to escape jail, but the offer was re-

Six of the leading publicans of this city, six of the leading publicans of this city, prominent supporters of the Government, waited upon Premier Whitehead to-day to urge him to take some steps in their behalf. He declared his utter inability to interfere with the action of the magistrates. Twelve of the principal saloons will close to-morrow, their licenses having been suspended until the cases of their owners are decided.

Drunkard and Thief in His Eighth Yan Ronaldo Vekowski, an eight-year-old Polish boy, whose parents live at 99 Clay street, Green point, was committed to St. John's Home by Justice Laimbeer, in the Ewen Street Police Court, yesterday for being wayward. The boy uses tobacco in every form and lately has gone on spress, stealing from his mother the money with which he bought liquor.



A QUESTION OF FLOOR COVERINGS, IT IS REAL ECONOMY TO PURCHASE OUR "RELIABLE CAR PETS." CONTRACTED FOR BEFORE THE RISE IN WOOL AND WAGES. YOU CAN THUS SAVE A CON SIDERABLE SUM, AND AT THE SAME TIME HAVE CARPETS WHICH WILL STAND THE WEAR AND TEAR, SELECT PATTERNS NOW, GOODS DELIV Furniture of All Kinds.

OPEN SATURDAY EVENING. COWPERTHWAIT & CO. 104, 166 AND 166 WEST 14TH ST., NEAR STH AVE, BROOKLYN STORES; PLATBURM AVE., NEAR PULTON

A true and lasting Violet in the handsomest package on the market. PRICE, \$1.75 PER BOTTLE.

For Sale by Dealers or will be sent on receipt of price by LADD & COFFIN, 24 Barclay St., New York.

TREASURES FROM THE HAGUE. an Interesting Collection of Old Paintings Brought to New York.

While in The Hague this summer Mr. William Macbeth acquired the whole of a collection of old paintings belonging to a connoisseur named Muijser, numbering altogether 119 pictures, and they have been brought here and are on view at Mr. Macbeth's gallery in Fifth avenue. Among these works, which have hung in one gallery for forty years or more, are several extremely valuable and interesting pictures.

Chief among them in beauty and interest is s mother and child that are attributed with every show of reason to Rembrandt. The infant, a remarkably plump and well-favored child, with a head of frowzy tow hair and two very wonderful eyes, is nude. In color it is very rich, and the face of the little one is alive with an expression of childish wonder. It is painted on thin panels joined together, and in execution is something to delight the student and the

is something to delight the student and the master.

A large Van Goyen, a low-lying landscape with moving masses of clouds, is luminous and full of atmospheric quality, and there is a large Cuyp, a man leading an enormous ox, that is a brilliant example.

A pair of paintings, by Longpré, are delightful in quality; there is a small Wouverman, a Netscher, a little example of Paul Potter, a Maes, and a large and crotesquely humorous village featival by Tenniers. These and a few others are the notable pictures in a collection that otherwise is more curious than fine.

JUDGE KILGORE'S REPLY.

He Denies All of the Charges Preferred Against Him by Mr. Davis,

WASHINGTON, Oct. 31. - Attorney-General Harmon to-day received from the Hon. C. B. Kilgore, Judge of the United States Court for Southern District of Indian Territory, his reply to charges made against him by Mr. Davis of Gainesville, Tex., which charges bear date of Sept. 18, 1895, and are of record in the Department of Justice at Washington. The statement

ment of Justice at Washington. The statement of Judge Kligore is sworn to by him before Joseph W. Phillips, Clerk of the court at Ardmore, I. T., and bears date of Oct. 26, 1895. Judge Kligore summarizes the charges made against him by Mr. Davis and then takes them up separately and denies them. He concludes as follows:

"I desire, in conclusion, to say that the charges preferred against me by Mr. Davis are so untrue and unfounded and unjust, and so unreasonable and in some respects cruel, that they would certainly retute themselves among the people among whom we are best known. Any man who believes the charges submitted by Mr. Davis must conclude that I am not only an ignoramus, but a bully and a blackguard, and any man who knows me will not believe that such is my character."

Judge Kligore asks that one or more impartial examiners from the Department of Justice be sent into his district to investigate the charges.

A Death Sentence Commuted by the Prest-

WASHINGTON, Oct. 31.-The President has commuted to imprisonment for life the sentence of Thomas Westmoreland, convicted in Texas of murder and sentenced to be hanged.

The President says: "I cannot rid myself of a doubt as to the responsibility of this convict for any degree of aponsibility of this convict for any degree of homicide, but I suppose some deference should be paid to the finding of the jury upon the evidence. I am entirely clear that capital punishment should be stayed upon a conviction of murder, resting upon such loose, uncertain, and unreliable evidence as was presented in this case. I am supported in this opinion by the Judge and District Attorney who officiated on the trial of the convict and by facts developed by a special examination since the trial."

No Damage to the Battle Ship Indiana. WASHINGTON, Oct. 31.-The Navy Departnent on being informed that the new battle ship Indiana had touched bottom on her trip up the Delaware caused a careful examination of the vessel to be made at the Cramps' shipyards the vessel to be made at the tramps shipparus. The examination was exhaustive, and showed that the ship had not been damaged in any manner whatever. She stands to-day as when she went out on her official trial, a "perfect ship," and one of the best ever constructed for the heat of the navy.

As soon as the Indiana is accepted by the Government she will be sent to the New York Navy Yard to have some changes made in the officers' quarters. The alteration is the only one to be made as known at present. the navy.

Miss Plagler Indicted for Manslaughter. WASHINGTON, Oct. 31 .- The Grand Jury of the District this afternoon returned an indict-ment against Miss Elizabeth Flagler, the daughter of G. M. Flagler, Chief of Ordnance of the army. She is charged with manslaughter in the army. She is charged with manslaughter in the shooting of Ernest Green, a young colored boy, last August, while he was picking up a pear from under a tree in the yard surrounding the Flugler residence, Miss Flugler is now under ball in the sum of \$10,000, based upon the proceedings before the Coroner's jury. No new process will be necessary, the District Attorney says, to secure her presence in court to plead to the indictment.

Carlisle to Vote in Kentucky. WASHINGTON, Oct. 31. Secretary Carlisle returned here this morning from Kentucky, where he registered. He will return there next Tuesday and vote for Hardin and the Stat

The exodus of clerks and employes, who in and to exercise the right of suffrage in Novemend to exercise the right of suffrage in November in the several States, has commenced dany of those living in Ohio and northern New York have already gone, and each outgoing rain is carrying others. Many of the high efficials are already at home. The exodus is aid to be more general than last year.

Mrs. Waller at the State Department WASHINGTON, Oct. 31.-Mrs. John L. Waller. companied by ex-Minister John L. Langston, counsel for her husband, called at the State counsel for her nusuand, called at the other Department to-day, by appointment, and had a long talk with Assistant Secretary Uhl concerning the case of her imprisoned husband. She laid before Mr. Uhl written statements concerning the arrest, the trial and conviction of Waller, and also made verbal explanations of their contents. their contents.

Capt. Kirkman Acquitted

WASHINGTON, Oct. 31 .- Gen. Wesley Merritt has approved and announced the findings of the court martial which tried Capt. Joel T. Kirkman, Tenth Infantry, for conduct unbecoming an officer and a gentleman. Capt. Kirkman was charged by a brother officer with breaking into private apartments. The court acquitted him, and he has therefore been released from arrest and returned to duty.

New Stenographer at the White House, WASHINGTON, Oct. 31 .- George T. Cartelyou of New York has been appointed stenographer at the White House in place of Robert L.
O'Brien of Massachusetts, resigned. Mr. Cartelyou received a clerical place under civil service rules some time ago, and has been confidential clerk to the Fourth Assistant Postmaster-General. The salary of his new office is
\$2,000.

November Interest on Governments. Washington, Oct. 31.—United States Treasurer Morgan to-day mailed 1.788 checks, aggregating \$1,015,116, in payment of interest due on Nov. 1 on United States bonds, P. H. M'MANUS'S FUNERAL. 437 CARRIAGES FOLLOW THE HEARSE TO THE GRAVE.

The Coffin Borne to the Church by the Bend Man's Brothers-The Services Belayed to Allow the Crowd to View the Body. Everybody in the Seventeenth Senate district new Patrick McManus. He was buried yesterday, and nearly everybody in the Seventeenth Senate district went to the funeral. Those who couldn't go to the services at the church or join the procession to the cemetery went to the house at 456 West Forty-ninth street, where the dead man had lived with his father and mother and his six bachelor brothers. They wanted to get a

last look at the dead man's face. It had been announced that the funeral ser-vices would be held in the Church of the Sacred Heart, in West Fifty-first street, at half-past 9 o'clock in the morning. Hours before that time friends of the dead man began to go to the house. The body lay in the black-draped front parlor. It was in a casket covered with purple velvet and lined with white satin. The heavy silver plate on the casket bore this inscription:

PATRICK H. McMANUS. Died Oct. 28, 1895, Aged 38 years.

Old John McManus sat with his wife and his sons in the back parior. Those who came to see the body went into the front parior from the hall, and passed by the casket into the back parlor and then into the hall again. By 8 o'clock steady stream of people was passing in and out of the parlors. They came so fast before long that they couldn't get into the house, and by 9 o'clock a great throng stood in the street waiting for a chance to get in. The services at the church were postponed an hour, but when 10 o'clock came the crowd in the street was just is great, so the services were put off another walf hour.

10 o'clock came the crowd in the street was just as great, so the services were put off another haif hour.

All this time carriages had been coming up. At 10 o'clock there was a line of coaches, facing west, that reached from Ninth avenue through to Tenth avenue and beyond. There was another line on the other side of the street, facing east, just as long, and a long string of carriages was passing between them and spreading out into Tenth avenue.

Finally, at 11 o'clock, it was decided to start for the church, although the crowd in the street was still undiminished. First, the floral pieces were taken out from the parlor and put into carriages. Flowers had been sent by many political organizations and by a great many of the friends of the dead man. They filled six coaches. These coaches were started first and after them followed the empty hearse. Representatives of our organizations, the T. J. McManus, Pawnee Club, McGovern, and Walsh, marched after the shoulders of the dead man's brothers. Thomas, who is running for the Senate on the anti-Tammany ticket, John, Oliver, William, James, and Charles. After the casket walked John McManus and his wife and Edward, the youngest son.

They marched down Forty-ninth street to

Manus and his wife and Edward, the youngest son.

They marched down Forty-ninth street to Tenth avenue, and up to Fifty-first street. There the club men opened ranks, and the casket was borne between the rows of uncovered men into the church. The solemn requiem high-mass for the repose of the soul of the dead man was celebrated by Father Thomas W. Wallace, with Fathers John D. Roach, C. J. Cronin, and John Ryan, as deacon, subdeacon, and master of ceremonies. The music was by Frederick Brewer, organist of the church, and a quartet choir.

After the services at the church the process-

choir.

After the services at the church the procession passed east through Fifty-first street to Broadway, to Forty-ninth street, and thence west, past the McManus house, to Tenth avenue. When the hearse reached Tenth avenue the last carriage had not started from the church, and they were three abreast. After passing the house the procession continued through Tenth avenue and Forty-second street, First avenue and Thirty-fourth street to the Long Island ferry. story window, which is about thirty feet from the ground. A spirited chase to get the dog followed and the lecture was temporarily suspended. The dog was finally caught and thrown out of the window.

All efforts on the part of Dr. J B. Wood, President of the Society for the Prevention of Cruelty to Animals, to find the dog fasied. Dr. Wood, who was a former student at the college and sat at the feet of the Professor, investigated the case, and had the warrants issued and served to-day. When the warrants were served both the Professor and the future preacher were deeply distressed. The Professor said he had the dog thrown out of the window because he feared for his own life. The affair had also caused a fist fight between Mr. Gwaltne, and Students Mo-Adams and Hardin. President Boatwright of the college had to reprimand the belligerent students.

avenue and Forty-second street, First avenue and Thirty-fourth street to the Long Island forry.

Four hundred and thirty-seven carriages crossed the ferry, and every boat for a long time was crowded with them. The carriages followed the hearse to Calvary Cemetery, where the interment was made.

Among those who attended the services were ex-Judge Alfred Steckler, ex-Congressman John Quinn, ex-Sheriff John B. Sexton, Senator O'sullivan, against whom Thomas J. McManns is running for Senator as an independent candidate; John J. Walsh, candidate for the Assembly; ex-Senator G. W. Plunklit, ex-Assembly; ex-Senator G. W. Plunklit, ex-Assembly; ex-Senator G. W. Plunklit, ex-Assembly man William H. Walker, Senator Timothy D. Sullivan, Master Workman Magee of D. A. 49. Thomas Smith, Andrew J. Heyer, Postmaster Dayton, Charles Steckler, Judge Stiner, Patrick Trainor, Patrick Kerrigan, James J. Hagan, John J. Murphy, ex-Sheriff O'Brien, Assemblyman Gleason, Capt. Cosgrove, ex-Alderman Peter J. Dooling, William Dalton, Louis Munzinger, James Delaney, Thomas F. Grady, President Jeroloman of the Board of Aldermen, and Aldermen Muh, Hackett, and Wundt, Stephen N. Simonson, George Wanmaker, John J. Reisenweber, James McGee, Republican candidate for Senator; Maurice Featherson, Richard E. Van Horn, Republican candidate for Assembly in that district, and Thomas Myers.

THE DOCK BOARD IN SESSION. Col, Waring Asks It to Do a Job for Him It Will Cost 85,000,

At the regular meeting of the Dock Board yesterday a report was made on the land under water between piers (old) 2 and 3, North River, which the Lehfigh Valley road had been using for about thirty years without compensation. The report set forth that 13,300 square feet of ground at 25 cents a square foot was worth \$3,340 a year. The Corporation Counsel re-ported that back rents could not be collected, ported that back rents could not be collected, so a permit was granted to the company to occupy the land at a yearly rent of \$3,340.

Communications were received from the Commissioner of Street Cleaning asking the Dock Board to replace a dumping board that had been torn down when the Dock Department repaired a crib bulkhead at the foot of East Seventeenth street. The new dumping board would cost \$5,000, and the Commissioner asked the Dock Department to do the Job. Commissioner Einstein said that the dumping board had been in use for fifteen years and was in bad shape. He added that it was an imposition to saddle a \$5,000 job on the Dock Department when the Street Cleaning Department got all the money it wanted from the Board of Estimate. The matter was referred to the Corporation Counsel.

THE FEAST OF ALL SAINTS. To Be Celebrated To-day in St. Patrick's

Cathedral. The Feast of All Saints which occurs to-day in the Roman Catholic calendar will be cele-brated at St. Patrick's Cathedral. Masses will be said at 5, 6, 7, 8, and 9 o'clock, and at 10 o'clock high mass will be sung. At the conclusion of this service the exposition of the blessed sacrament will take place. The resary devo tions which Pope Leo has directed to be contions which Pope Leo has directed to be con-tinued until Nov. 2 will be held at 11 A. M., to-gether with the devotion known as the holy hour. At 8 o'clock in the evening solemn ven-pers of the Feast of All Saints will be chanted by six cope bearers and the boys' choir. Dur-ing the delivery of the sermon the altar will be divested of its ornaments and prepared for the solemn chanting of the vespers of the dead in preparation for the commemoration of All Saints, which occurs to-morrow. This will be the first time that the vespers of the dead has ever been sung in the New York esthedral. The ceremonial is very elaborate and will be carried out in detail.

A BIG SKATE FACTORY BURNED. Lowentraut of Newark Loses His Build.

P. Lowentraut's big skate and tool factory at Kent and Brenner streets, Newark, was almost completely destroyed by fire between 1 and 2 o'clock yesterday morning. The loss was \$75, 000 on the buildings, stock, and machinery, Lowentraut has one of the largest skate fac Lowentraut has one of the largest skate factories in this country, and employs 165 men, women, and boys. Business was so brisk that for a month the men had been working overtime at night. There was little loss on finished stock because the pressure of orders demanded the immediate shipment of the goods as fast as they were turned out. The damage to unfinished stock by fire and water and to the large stock of saddlers' tools and household hardware in the storeroom cannot be estimated. The insurance is ample.

Cops Tried for Not Reporting Dead Cats and Dogs.

Commissioner Roosevelt tried delinquent policemen yesterday. There were seventy-four licemen yesterday. There were seventy-four cases on the calendar. Among those tried was Patrolman John J. Kane of Elizabeth street, who failed to report a dead cat on his post. Boundsman Smith was his accuser. Patrolman Denis F. Sullivan of Eldridge street also failed to report a dead cat. Roundsman Colton was his accuser. Sullivan said he forgot to make the report.

Patrolmen James R. Kelsey and William E. Newsam of West Forty-seventh street were accused by Roundsman Skelly of failing to report a dead dog.

SUPERFLUOUS Hair, Moles, Permoved, 20 years experience. Tolks it, Woolmuthy, 127 W. 42d st., N. Y.

HILL'S RHEUMATISM AND GOUT OURE; greatest of remedies; one bottle curve you, HILL MEDICINE CO., 36 E. 19th st., N. Y. Send for cir-

WIMAN AGAIN IN PERIL.

HIS CASE AWAITING THE DECISION OF THE COURT OF APPEALS.

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The popular "Belle of New York March."

Bright and sparkling, and full of

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score in the November

Arguments on the Appeal from Decision Reversing the Judgment of Conviction Under Which He Was Sentenced a Year Ago to Five and a Half Years in Prison, ALBANY, Oct. 31 .- The case of Erastus Winan, charged with forgery by his late partners in the Mercantile Agency, R. G. Dun & Co., came before the Court of Appeals here to-day, The District Attorney of New York appealed from the decision of the Supreme Court, which reversed the judgment of conviction under which Mr. Wiman was a year ago last summer sentenced by Judge Ingraham to five and a haif years in State prison. The District Attorney was represented by Mr. John D. Lindsay, and the respondent by Gen. Benjamin F. Tracy. The question of guilt or innocence seems mainly

Dun & Co. Assistant District Attorney Lindsay, after setting forth the case in detail, maintained that while there was no question as to Mr. Wiman's right to draw the check complained of, or to change the name of the payee, yet the placing

hawken.

A big gang of men went down to the river walk, near Castle Point, yesterday morning to begin the work of erecting the poles and laying the tracks. They had erected six poles when a copy of the rule granted by Justice Lippincott

copy of the rule granted by Justice Lippincott was served on the superintendent in charge, and work was suspended.

The opposition to the road comes from property owners and residents in the upper part of Hudson street who believe that a freight line running through that section will depress the value of the property, which is regarded as the most valuable in the city. The company professes to have a charter for a steam road along the same route, and it is intimated that the road may be established if the troiley ordinance should be set aside.

PITCHED THE DOG OUT.

College Professor and a Divinity Student Arrested for Cruelty.

RICHMOND, Va., Oct. 31 .- Prof. John Pollard.

D. D., A. M., of the chair of English in Rich-

mond Coilege, and a young divinity student

named J. D. Gwaltney were arrested to-day at the instance of the Society for the Prevention of Cruelty to Animals. Dr. Poilard is one of the

best-known men in the Baptist denomination throughout the South. Ten days ago some of

the students of the college fitted out a dog in gaudy array and led him into the lecture room.

Prof. Pollard, who was expounding some of the beauties of Chaucer, ordered the dog removed

by the janitor, which was done. Soon the dog

reappeared, and the Professor ordered Mr

Gwaltney to pitch the dog out of the second-

story window, which is about thirty feet from

AGAINST THE FREIGHT TROLLEY.

Work Stopped Soon After It Began on the

Justice Lippincott, on the application of Law-

yer Leon Abbett, granted an order in the Circuit

Court in Jersey City yesterday to show cause why the freight trolley ordinance, passed by the Hoboken Common Council, should not be re-

moved to the Supreme Court for review. The order was made returnable on Saturday of this

week. The ordinance, which has been signed

by Mayor Fagan, authorizes the Hoboken Rail-

road, Warehouse and Steamship Connecting Company to construct and operate an electric

freight trolley road all along the river front and through Eleventh and Hudson streets to Wee-

NORA CRONIN RELEASED ON BAIL. She Was Indicted for Complicity in the Charlotte Parochial School Pire.

ROCHESTER, Oct. 31 .- Nora Cronin, who was ndicted by the last Grand Jury on the charge of arson, first degree, and who is accused of complicity in the Charlotte parochial schoolhouse fire, was released on ball last night. The amount of the bond was \$10,000. Much curios ity was aroused by the fact that no opposition ity was aroused by the fact that no opposition was made. Herectofore all attempts to admit Miss Cronin to bail have been vigorously opposed by the District Attorney, and Justices Werner and Davy refused, holding that the offence was so grave that it would be best to keep her in confinement. Speculation as to the cause of fhis change is rife, and some think that Nora Cronin has told all she knows. Immediately after being released she, accompanied by her faithful friends, Miss McCarthy and Father Fitzgerald, left for Charlotte.

AN APPLE TREE IN BLOSSOM. Near the Bath Beach Shore It Awaits the November Gales.

An apple tree in blossom at the end of October was one of the curious sights presented to an bserver yesterday morning during a stroll about the quiet streets of Bath Beach. An immense cluster nodded from the topmost twig and gayly bade defiance to the approaching storm. The tree stands in the yard of the resi dence of R. T. Mitchell on Bay Eleventh street, close to the shore. Mr. Mitchell, a hotel keeper on Bath avenue, planted the tree in the fail of 1894. It bore an excellent crop this year, but the ravages of worms robbed it of its beauty, until, to Mitchell's surprise last month, the sturdy youngster came out again in full blossom.

Bookmaker Arrested at Morris Park. Joseph Morris of 176 East Eighty-eighth street was held in \$500 ball by Magistrate Kudlich in the Morrisania Court yesterday on a charge of violating the betting laws at Morris Park. De-tective Wood of Inspector McCullagh's staff testified that a negro approached Morris and

testified that a negro approached Morris and said:
"Two to five on Delmar to win."
Morris recorded the remark in a little book and appended the initials L. T. Later on Wood says, he saw the negro pass money to Morris. The prisoner denied the money part of the alleged transaction.

Policeman Bernard Murphy Vindicated. Judge Allison in General Sessions yesterday dismissed the indictment for assault in th third degree against Policeman Bernard Murphy of the West Twentieth street station. Murphy was accused by Mrs. Thereas Flynn of 3d1
West Twenty-fifth street of having struck her
and blackened her eyes while he was arresting
a man in front of her house. Assistant District
Attorney Townsend recommended the dismissal
of the complaint. Murphy has been under supension since Nov. 1, 1894.

This Collision Cost the Trolley 88,616. It cost the Consolidated Traction Company \$8,610.96 to hit one wagon at the corner of broad and Lombardy streets, in Newark, in February last. The wagon conts ned four persons, three of whom were injured. Yesterday a jury gave the hast of the trio, Julius Lambertson, a verdict of \$1,400.96. His father got a verdict of \$2,000 some weeks ago, and February Holmark secured one of \$5,210.

to rest upon the question whether Mr. Wiman was or was not a partner in the firm of R. G.

right to draw the check complained of, or to change the name of the payee, yet the placing of Mr. Bullinger's endorsement on the back of the check under the circumstances disclosed by the evidence was a different thing in the eyes of the criminal law. If the defendant had been a partner, he said, the alteration of the face of the check would, of course, have constituted no criminal offence; but as an employee merely he would have been clearly guilty of embezzlement had he done so fraudulently and for the purbose of using the check for his own purposes, either before or after signature, and of forgery if the alteration had been ignored, for as a matcher of fact he made no change in the body of the check, but created a new instrument.

Gen. Tracy, in defence of his client, took the ground that he was erroneously convicted of the crime of forgery. He maintained that the errone gustifying this view were: First, in the erroneous theory of the law applicable to forgery, upon which the case was tried and submitted to the Jury; second, in the erroneous rulings in the admission and rejection of evidence by the trial Judge, and, third, in the Judge's charge to the jury and his refusal to charge as requested. In form the indictment was for forgery, but the trial abundantly discloses that the defendant was tried and convicted, not for forgery, but for overdrawing his account with R. G. Dun & Co.

They Become Belligerent and Strike at

Two blind beggars, both of whom were drunk, struck at every one who passed with their sticks Wednesday night. Policeman Hughes of the West Twentieth street station had to dodge a blow aimed at him by one of the men before he arrested them. At the station house they de-scribed themselves as James McGinty, 26 years old, of 279 West Twenty-fifth street, and Thomas Brisley, 35 years old, of 98 Tenth ave-

History, so years on his left hand. He also says that he has an extra toe on his left foot. Neither one of the beggars denied being drunk when they were arraigned in Jefferson Market Court yesterday morning. They were fined \$5 each. As they didn't have the money they were looked up.

Saftor Ben in Hospital.

Benjamin R. Weeks, the Tar Heel'sailor who was rescued from the drifting top of the deck house of the lost schooner Harry S. Lord, Jr. by the four-master Star of the Sea, will probe bly not sail for home to-morrrow as he planned. On Wednesday he told his friends down at the Battery that this last shipwreck was the third be had suffered, and he had had enough of the sea. He was going back to his sweetheart down in the Tar Heel State, and was going to learn

in the Tar Heel State, and was going to learn land tricks.

To make pleasant his few days stay in New York some of his friends took up a collection, and then he had his red beard cut off and got a shampoo. Much of the day he spent around Hartman's Hattery Hotel. There he had three good meals and a smoke once in a while, A doctor fixed up his sore arms. At night the sallor showed signs of a slight fever, and he was advised to go to the Hudson Street Hospital. He is there now, but will probably be out in a few days.

J. H. Vanderbill's Divorced Wife Wants More Allmony.

Mary Vanderbilt appealed to Judge Barrett yesterday for an increase of the alimony paid her by her husband, Jacob H. Vanderbilt, a son of the late Capt. Jacob H. Vanderbilt, a son of the late Capt. Jacob Vanderbilt and a nephew of Commodore Vanderbilt. Her present all-mony is \$100 a week. The defendant is at present connected with a bank in Washington State, and by the death of his father, about a year ago, he came into considerable property, Judge Barrett put the case down for two weeks from yesterday.

W. A. Smith, Jr., Buys a Stock Exchange

The next candidate for membership in the New York Stock Exchange is Mr. William Alexa ander Smith. Jr., who has just bought the seat of Mr. T. Henry Walter. Mr. Smith's father has been a member of the Exchange since Dec. 19. 1844, and when his son is admitted the old-eat and youngest memberships will be held by father and son.

Mrs. Mary B. Denman Ill

Mrs. Mary B. Denman of Newark, Presidente at-large of the W. C. T. U. and formerly President dent of the New Jersey Union, is suffering from a stroke of paralysis at her home in Newark, She was stricken on Wednesday evening in the Desbrosses Street Ferry house and was taken home. She was much better yesterday. This is the second shock she has had. The other came fifteen years ago.

A Verdict for Col. Lewis E. Stegman Ex-Sheriff Lewis H. Stegman of Brooklyn has obtained a verdict of \$3,603.50 in his suit sheriff, and Henry S. Hodgkinson, his under-son's bondsman. While Col. Steymen desireson's bondsman. While Col. Steyman was in Europe, during the last year of his term, Hodg-kinson, he alleged, collected the money on a judgment and failed to account for it.

Children Cry for Pitcher's Castoria